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#### LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance (Chapter 131)

## APPROVED URBAN RENEWAL AUTHORITY KWUN TONG TOWN CENTRE – MAIN SITE DEVELOPMENT SCHEME PLAN NO. S/K14S/URA1/4

#### INTRODUCTION

At the meeting of the Executive Council on 17 September 2024, the Council **ADVISED** and the Chief Executive **ORDERED** that the draft Urban Renewal Authority (URA) Kwun Tong Town Centre (KTTC) - Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/3A should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now renumbered as S/K14S/URA1/4 at **Annex A**.

### AMENDMENTS TO THE APPROVED URA KTTC - MAIN SITE DSP NO. S/K14S/URA1/2 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved URA KTTC – Main Site DSP No. S/K14S/URA1/2 for amendment on 30 October 2023, the draft URA KTTC - Main Site DSP No. S/K14S/URA1/3 (the draft DSP) incorporating the amendments was exhibited on 8 December 2023 for public inspection under section 5 of the Ordinance. The amendments incorporated in the draft DSP mainly include -

#### Proposed High-density Mixed-use Development

(a) rezoning of a site to the north of Kwun Tong Road (the Site) from "Comprehensive Development Area (1)" ("CDA(1)") to "Other Specified Uses" annotated "Mixed Use" ("OU(MU)") with stipulation of a maximum gross floor area (GFA) of 251,100m² (of which not more than 110,100m² shall be for domestic purpose and not more than 153,700m² shall be for non-domestic purpose), a maximum building height (BH) of 360 metres above Principal Datum (mPD) (for the high zone), 100mPD (for the mid zone) and 30mPD (for the low zone), and provision of at-grade public open space (POS) of not less than 7,200m² and above-ground outdoor communal space of not less than 4,000m² (Amendment Item A); and

#### Reflecting Completed Development

(b) rezoning of a site to the south of Mut Wah Street from "CDA(1)" to "Residential (Group A)" ("R(A)") with stipulation of domestic GFA restriction of 138,980m<sup>2</sup>, non-domestic GFA restriction of 33,220m<sup>2</sup>

#### and a BH restriction of 180mPD (Amendment Item B).

3. Corresponding amendments in relation to the rezonings above and technical amendments in accordance with the latest version of the Master Schedule of Notes to Statutory Plans were made to the Notes of the draft DSP. The Explanatory Statement (ES) of the draft DSP, which reflects the planning intentions and objectives of the Town Planning Board (the Board) for various land use zonings of the draft DSP, was also amended accordingly.

#### REPRESENTATIONS

4. During the exhibition of the draft DSP, **60** valid representations were received. The representations were considered by the Board at its meeting held on 26 April 2024.

#### **Supportive Representations (56)**

- 5. The 56 supportive representations were submitted by URA (**R1**) and 55 individuals (**R2 to R56**), amongst which three individuals also provided additional views (**R52 to R54**) while one individual supported the draft DSP without stating any grounds/views (**R55**). The major grounds/comments of the supportive representations are summarised below
  - (a) development/re-tendering of the Site should be expedited;
  - (b) the proposed "Vertical City" development concept¹ would optimise precious land resources, bring vibrancy to KTTC and enhance KTTC's function as a town centre;
  - (c) the proposed mixed-use development at the Site honoured the major design elements of the previous approved Master Layout Plans (MLPs) and would promote economic development at KTTC, provide local employment opportunities and help meet the local demand for public services and/or recreational facilities;
  - (d) the proposed development intensity and BHs were well-justified and a mixed use scheme with residential use included would enhance the flexibility of the development project;

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<sup>&</sup>lt;sup>1</sup>According to the information of URA, "Vertical City" is a development concept where different land use functions of a city or urban area are amalgamated and developed vertically through high-rise buildings/structures. The concept is an innovative response to the challenges posed by sporadic urbanisation. By maximising the utilisation of precious land resources and incorporating mixed-use design, an efficient and sustainable urban environment can thus be created – one that fosters a high degree of economy of scale, innovative synergies and social interactions.

- (e) the proposed traffic improvement works and the barrier-free pedestrian connections could help alleviate traffic congestion in Kwun Tong and enhance walkability and connectivity for KTTC and the wider neighbourhood respectively;
- (f) the proposed mixed-use development at the Site was comparable with the approved scheme in terms of air ventilation performance and visual impact; and with the proposed landscaping and greening features, a greener environment would be provided at the Site; and
- (g) a railway noise impact assessment (RNIA) had been conducted, which demonstrated that the noise mitigation measures adopted in the proposed mixed-use development at the Site would provide adequate protection to future residents.

### Adverse Representations (in whole or part)/Representation Providing Views (part) (2)

6. Two adverse representations were submitted by two individuals (**R57 and R58**), one of which opposed Amendment Item A and Amendment Item B and the revision to the Notes of the draft DSP (**R57**), while the other one opposed Amendment Item A (**R58(part)**) and provided views on Amendment Item B that the amendment item was for housekeeping purpose (**R58(part)**). The major grounds/comments of the adverse representations are summarised below –

#### High-density Mixed-use Development

- (a) URA should formulate a better alternative scheme by reviewing the population characteristics, transportation and infrastructure capacities and availability/vacancy rate/market demand for commercial floor space in Kowloon East;
- (b) the proposed mixed-use development at the Site was financially motivated, which deviated from the purpose of the Urban Renewal Authority Ordinance (Cap. 563) in addressing the problems of urban decay and improving living conditions in old districts;
- (c) there was a lack of justification to substantiate the need for more residential units, shopping malls and office floor space at the Site;
- (d) mega towers were socially, economically and environmentally unsustainable;
- (e) co-location of domestic and non-domestic uses on the same floor might give rise to security issues and would duplicate building services:

### Open Space and Government, Institution and Community (GIC) Facilities Provision

(f) the current temporary public spaces at the Site provided a venue for hosting community events and served a town centre function. The proposed mixed-use development at the Site would take away these functions. The Site should be used as a major GIC and recreational facilities complex. Abundant at-grade POS should also be provided to foster social activities and gathering;

#### Visual, Air Ventilation and Other Impacts

- (g) the submitted visual impact assessment did not truly reflect the visual impact of the proposed mixed-use development at the Site as it did not assess the visual impact on the residential units at Grand Central. The adverse air ventilation impact had not been identified, and the proposed tall buildings would create adverse microclimatic effects; and
- (h) the proposed mixed-use development at the Site would create shadowing effect and result in loss of sunlight of the surrounding areas, the effects of which had not been assessed. The use of reflective glass in the proposed mixed-use development at the Site would also cause glare impact.

#### Representation Providing Views (2)

7. Two representations submitted by MTR Corporation Limited (**R59**) and an individual (**R60**) provided views on Amendment Item A, and the major views are that (i) the proposed mixed-use development at the Site could be subject to adverse railway noise impact due to proximity to the Kwun Tong Line, and the project proponent should conduct a RNIA at the detailed design stage and, where necessary, implement noise mitigation measures at its own cost; (ii) the podium of the proposed mixed-use development at the Site might induce adverse visual and air ventilation impacts; and (iii) the proposed podium might negatively affect the birds living in the vicinity.

#### The Board's Decision

8. After giving consideration to the representations, the Board **noted** the supportive views of **R1 to R56**, the views of **R59 and R60** on Amendment Item A and the view of **R58(part)** on Amendment Item B, and decided **not to uphold** the adverse representations of **R57** and **R58(part)** and agreed that the draft DSP **should not be amended** to meet the representations for the following reasons –

#### High-density Mixed-use Development

- (a) the "OU(MU)" zoning could realise the planning intention for comprehensive high-density mixed-use developments with provision of POS, GIC, public transport and other complementary supporting facilities, while enhancing the vitality and improving the environmental and traffic conditions in KTTC. The zoning also offered flexibility and added resilience for the project proponent(s) to adapt to changing market needs. The "OU(MU)" zoning was considered suitable and appropriate for the Site and was compatible with the surrounding area (R57 and R58(part));
- (b) the proposed high-density mixed-use development sought to maximise the utilisation of the Site and capitalised on its strategic location at the heart of KTTC. The BH restriction, in the form of three BH bands, had taken into consideration various planning and urban design factors, balancing the enhanced development potential with site constraints whilst respecting the design principles of past approved MLPs. The eventual building design was subject to detailed design and would need to comply with the Buildings Ordinance (Cap. 123) (BO) and relevant regulations (**R57 and R58(part)**);

#### Open Space and GIC Facilities Provision

- (c) the proposed mixed-use development would provide a range of recreational spaces, including at-grade POS, multi-level outdoor communal spaces and multi-purpose activity centre. Besides the pledged provision of about 8,600m<sup>2</sup> of GFA for GIC and public transport facilities, URA would continue to explore the possibility to provide additional GFA for provision of new GIC facilities as part of the proposed development (**R58(part)**);
- (d) the existing and planned provision of major GIC facilities in the Kwun Tong (South) Planning Scheme Area were generally adequate to meet the anticipated demand in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG) and concerned Government bureaux/departments' assessments, with the exception for some social welfare facilities. The Government would continue to adopt a multi-pronged approach to identify suitable sites or premises for provision of more welfare services, so as to meet the ongoing welfare service needs of the district (**R58(part)**); and

#### Visual, Air Ventilation and Other Impacts

(e) with the incorporation of various urban design and wind enhancement features, the submitted technical assessments had concluded that the proposed development would not result in insurmountable visual and air ventilation impacts on the surrounding area. The eventual development would be subject to detailed design and all building works would need to comply with the BO and relevant regulations, while taking into consideration the relevant Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (R57 and R58(part)).

#### IMPLICATIONS OF THE PROPOSAL

- 9. Approval of the draft URA KTTC Main Site DSP No. S/K14S/URA1/3A itself has no civil service implication. The economic, financial, environmental, sustainability, family and gender implications of the proposed mixed-use development under Amendment Item A are set out below. Impacts of Amendment Item B are considered negligible as it is an amendment mainly to reflect the completed development.
- 10. On economic implications, the proposed mixed-use development with a combination of various types of compatible uses, including commercial, residential, educational, cultural, recreational and entertainment uses, will allow a better utilisation of scarce land resources and help meet the housing and socio-economic development needs in Hong Kong.
- 11. On financial implications, it is the prevailing policy to grant nominal land premium for URA's redevelopment sites. The proposed mixed-use development therefore shall have no land revenue implication. The cost of acquisition of property, compensation, clearance and redevelopment is borne by URA.
- 12. For the re-provisioning of Government offices and facilities, URA will be entrusted with the design and construction of the bare-shell premises at its own cost. Upon completion, the above-mentioned offices and facilities will be handed over to the Government Property Agency for ownership, management and maintenance. The recurrent consequences of the offices and facilities, if required, will be sought under the established mechanism.
- 13. As for the at-grade POS for re-provisioning of the affected Yue Man Square Rest Garden (YMSRG), it will be handed over to the Leisure and Cultural Services Department for ownership, management and maintenance upon completion by URA or its future joint-venture partner(s) at their own cost. The recurrent consequences of the POS, if required, will be sought under the established

mechanism.

- 14. For the provision of social welfare facilities as required by the Government, URA or its future joint-venture partner(s) will be entrusted with the design and construction of the bare-shell premises. While the estimated capital cost is not available at this stage, funds required will be sought in accordance with the established mechanism. Recurrent consequences of these facilities, if required, will be sought under the established mechanism.
- 15. As for the other proposed at-grade POS (excluding YMSRG) and above-ground outdoor communal spaces at the proposed mixed-use development, they will be constructed, managed and maintained by URA or its future joint-venture partner(s) or assignee(s) (if applicable) at their costs.
- 16. For the re-provisioning of public transport facility (i.e. taxi stand) at the proposed mixed-use development, it will be constructed, managed and maintained by URA or its future joint-venture partner(s) at their costs.
- 17. On environmental implications, insurmountable environmental impacts associated with the proposed amendments are not anticipated. Various technical assessments, including environmental assessment, have been conducted by URA for the proposed mixed-use development, which demonstrated that with the implementation of the proposed mitigation measures, no insurmountable environmental impact is anticipated for the proposed mixed-use development. The proposed mixed-use development is required to be planned, designed, constructed and implemented in accordance with the environmental guidelines and criteria laid down in the Environment Chapter of HKPSG.
- 18. On sustainability implications, the proposed development can contribute to the better utilisation of land resources for meeting commercial, housing and social needs. The proposed development may bring about environmental impacts on the local area. Suitable mitigation measures should be implemented to alleviate such possible impacts.
- 19. On family implications, the proposed mixed-use development will increase the supply of private housing units which will have positive impact on family stability by helping to maintain stable living conditions for families. Besides, the proposed social welfare facilities can help address the welfare needs of families, as well as facilitate social interactions and development of social support networks among families in the district. Employment opportunities created from the proposed mixed-use development can also consolidate family relationships as the commuting time for residents working in the same district may be reduced, thus allowing them more time to spend with their families.
- 20. On gender implications, the proposed provision of GIC and social welfare facilities such as day care centre for the elderly, multi-disciplinary outreaching

support teams for the elderly and sub-base neighbourhood elderly centre, if materialised, will serve people in need whose carers are often women. The proposal should therefore be conducive to relieving the burden of carers and facilitating their participation in the workforce.

#### PUBLIC CONSULTATION

21. URA had consulted the Kwun Tong District Council (KTDC) on 4 July 2023 and members had no objection to the proposed mixed-use development at the Site. During the exhibition of the draft DSP, no representation from KTDC members was received.

#### **PUBLICITY**

- 22. The approved URA KTTC Main Site DSP No. S/K14S/URA1/4 will be printed and exhibited in accordance with section 9D(2) of the Ordinance. A press release will be issued on the day of exhibition. A spokesman will be available for answering media enquiries.
- 23. The approved URA KTTC Main Site DSP No. S/K14S/URA1/4 is at **Annex A** for Members' reference. A set of Notes listing out the uses which are always permitted and those which may be permitted on application to the Board is at **Enclosure I to Annex A**. An ES in respect of the approved URA KTTC Main Site DSP No. S/K14S/URA1/4 is at **Enclosure II to Annex A**.

#### **ENQUIRY**

Α

A-I

A-II

24. Any enquiry on this brief can be addressed to Ms Caroline Tang, Assistant Director of Planning/Board, Planning Department (Tel. No. 2231 4606).

PLANNING DEPARTMENT SEPTEMBER 2024

Annex A - Approved Urban Renewal Authority (URA) Kwun Tong Town Centre - Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/4

> Enclosure I: Notes of the Approved URA Kwun Tong Town Centre – Main Site DSP No. S/K14S/URA1/4

> Enclosure II: Explanatory Statement of the Approved URA Kwun Tong Town Centre – Main Site DSP No. S/K14S/URA1/4

圖則編號 PLAN No.

S/K14S/URA1/4



SCALE 1:2000 比例尺

160 METRES 米

米 METRES 40

Ms Carmen KONG

CLERK TO THE EXECUTIVE COUNCIL

行政會議秘書

(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

#### **NOTES**

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.
  - (b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.
  - (c) For the purposes of subparagraph (a) above, "existing use of any land or building" means
    - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as 'the first plan'),
      - a use in existence before the publication of the first plan which has continued since it came into existence; or
      - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and

- (ii) after the publication of the first plan,
  - a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or
  - a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.
- (4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (5) Road junctions, alignments of roads and railway tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
  - (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
  - (b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
  - (c) maintenance or repair of watercourse and grave.

(8) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:

on-street vehicle park and railway track.

- (9) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (10) In these Notes, "existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.
- (11) Any development not compatible with the Urban Renewal Authority's Development Scheme for the area is prohibited by virtue of section 25(4) of the Urban Renewal Authority Ordinance.

#### Schedule of Uses

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OTHER SPECIFIED USES	4

#### RESIDENTIAL (GROUP A)

Uses that may be permitted with or
e ses that may be permitted with or
without conditions on application
to the Town Planning Board

Government Refuse Collection Point

Government Use (not elsewhere specified)

House

Library

Market

Place of Recreation, Sports or Culture

Public Clinic

Public Transport Terminus or (excluding open-air terminus or station)

Residential Institution

School (in free-standing purpose-designed

building only)

Social Welfare Facility

Utility Installation for Private Project

Establishment

Eating Place

**Educational Institution** 

**Exhibition or Convention Hall** 

Hospital

Hotel

Institutional Use (not elsewhere specified)

Mass Transit Railway Vent Shaft and/or

Other Structure above Ground Level

other than Entrances

Office

**Petrol Filling Station** 

Place of Entertainment

Private Club

Public Convenience

Public Transport Terminus or Station (not

elsewhere specified)

**Public Utility Installation** 

Public Vehicle Park (excluding container

vehicle)

**Religious Institution** 

School (not elsewhere specified)

Shop and Services (not elsewhere specified)

**Training Centre** 

#### RESIDENTIAL (GROUP A) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Off-course Betting Centre
Office
Place of Entertainment
Private Club
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Training Centre

#### **Planning Intention**

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

#### Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 138,980m² and a maximum non-domestic gross floor area of 33,220m², and the maximum building height, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the gross floor area and height of the existing building, whichever is the greater.
- (2) At-grade public open space of not less than 2,400m<sup>2</sup> and above-ground public open space of not less than 4,000m<sup>2</sup> shall be provided.

#### RESIDENTIAL (GROUP A) (Cont'd)

#### Remarks (Cont'd)

- (3) For the purpose of paragraph (1), on land designated "Residential (Group A)", no addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the relevant maximum domestic and/or non-domestic gross floor areas(s), or the domestic and/or non-domestic gross floor areas(s) of the existing building, whichever is the greater, subject to, as applicable-
  - (a) the gross floor area(s) of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building; or
  - (b) the maximum domestic and/or non-domestic gross floor area(s) stated in paragraph (1) above shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building.
- (4) In determining the maximum gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the gross floor area for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum gross floor area specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

#### OTHER SPECIFIED USES

#### For "Mixed Use" only

Column 1 Column 2
Uses always permitted Uses that may be permitted with or without conditions on application to the Town Planning Board

Schedule I: for non-residential building or non-residential portion of a building upon development/redevelopment/conversion

Ambulance Depot

Commercial Bathhouse/Massage

Establishment

**Eating Place** 

**Educational Institution** 

**Exhibition or Convention Hall** 

Government Use (not elsewhere specified)

Hotel

Information Technology and

Telecommunication Industries

Institutional Use (not elsewhere specified)

Library

Off-course Betting Centre

Office

Place of Entertainment

Place of Recreation, Sports or Culture

Private Club

Public Clinic

Public Convenience

**Public Transport Terminus or Station** 

**Public Utility Installation** 

Public Vehicle Park (excluding container

vehicle)

Recyclable Collection Centre

Religious Institution

School

Shop and Services

Social Welfare Facility (excluding those

involving residential care)

**Training Centre** 

Utility Installation for Private Project

Wholesale Trade

Broadcasting, Television and/or Film

Studio

Flat

Government Refuse Collection Point

Hospital

Mass Transit Railway Vent Shaft and/or

Other Structure above Ground

Level other than Entrances

**Petrol Filling Station** 

**Residential Institution** 

Social Welfare Facility (not elsewhere

specified)

#### OTHER SPECIFIED USES (Cont'd)

#### For "Mixed Use" only (Cont'd)

Column 1	Column 2
Uses always permitted	Uses that may be permitted with or
• •	without conditions on application
	to the Town Planning Board

Schedule II: for residential building or residential portion of a building upon development/redevelopment/conversion

Flat

Government Use (Police Reporting Centre,

Post Office only)

House

**Residential Institution** 

Social Welfare Facility (residential care

facility only)

Utility Installation for Private Project

**Eating Place** 

**Educational Institution** 

Government Refuse Collection Point

Government Use (not elsewhere specified)

Hotel

Institutional Use (not elsewhere specified)

Library

Mass Railway Vent Shaft and/or Other Structure above Ground Level other

than Entrances

Office

Place of Entertainment

Place of Recreation, Sports or Culture

Private Club Public Clinic

**Public Transport Terminus or Station** 

Public Utility Installation

Public Vehicle Park (excluding container

vehicle)

**Religious Institution** 

School

Shop and Services

Social Welfare Facility (not elsewhere

specified)

**Training Centre** 

#### OTHER SPECIFIED USES (Cont'd)

#### For "Mixed Use" only (Cont'd)

#### Planning Intention

This zone is intended primarily for high-density mixed-use developments. Flexibility for the development/redevelopment/conversion of commercial/residential or other uses, or a combination of various types of compatible uses including commercial, residential, educational, cultural, recreational and entertainment uses, either vertically within a building or horizontally over a spatial area, is allowed to meet changing market needs. Physical segregation has to be provided between the non-residential and residential portions within a new/converted building to prevent non-residential uses from causing nuisance to the residents.

#### Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 251,100m², of which not more than 110,100m² shall be used for domestic purpose and not more than 153,700m² shall be used for non-domestic purpose, and the maximum building height, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the gross floor area and height of the existing building, whichever is the greater.
- (2) At-grade public open space of not less than 7,200m<sup>2</sup> and above-ground outdoor communal space of not less than 4,000m<sup>2</sup> shall be provided for public use.
- (3) In determining the relevant maximum gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as Government, institution or community or public transport facilities, as required by the Government, may also be disregarded.
- (4) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the gross floor area for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum gross floor area specified in paragraph (1) above may thereby be exceeded.

#### OTHER SPECIFIED USES (Cont'd)

#### For "Mixed Use" only (Cont'd)

#### Remarks (Cont'd)

- (5) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (6) Upon development/redevelopment/conversion of a building to a mixed use development, the residential and non-residential portions within a building shall be physically segregated through appropriate building design. Under exceptional circumstances, relaxation of the requirement for physical segregation may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

**EXPLANATORY STATEMENT** 

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(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

#### **EXPLANATORY STATEMENT**

Note: For the purposes of the Town Planning Ordinance (the Ordinance), this statement shall not be deemed to constitute a part of the Plan.

#### 1. <u>INTRODUCTION</u>

This explanatory statement is intended to assist an understanding of the approved Urban Renewal Authority (URA) Kwun Tong Town Centre (KTTC) – Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/4. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the area covered by the Plan.

#### 2. <u>AUTHORITY FOR THE PLAN AND PROCEDURES</u>

- 2.1 In the URA's fifth Business Plan (2006/07) and Corporate Plan (2006/07 to 2010/11) approved by the Financial Secretary in March 2006, the KTTC was proposed to be processed as two Development Schemes, namely KTTC Main Site and Yuet Wah Street Site, under section 25 of the URA Ordinance (URAO).
- 2.2 On 20 April 2007, the URA submitted the two draft DSPs for KTTC Main Site and the Yuet Wah Street Site to the Board under section 25(5) of the URAO.
- 2.3 On 7 September 2007, the Board, under section 25(6)(a) of the URAO, deemed the draft DSPs as being suitable for publication. Under section

- 25(7) of the URAO, the draft DSPs were deemed to be draft plans prepared by the Board for the purposes of the Ordinance.
- 2.4 On 5 October 2007, the draft URA KTTC Main Site DSP No. S/K14S/URA1/1 was exhibited under section 5 of the Ordinance. By virtue of section 25(9) of the URAO, the draft DSP has from that date replaced the approved Kwun Tong (South) Outline Zoning Plan No. S/K14S/14 in respect of the area delineated and described therein.
- 2.5 On 15 July 2008, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft URA KTTC Main Site DSP, which was subsequently renumbered as S/K14S/URA1/2. On 12 September 2008, the approved URA KTTC Main Site DSP No. S/K14S/URA1/2 was exhibited for public inspection under section 9(5) of the Ordinance. On 30 October 2023, the Secretary for Development referred the approved URA KTTC Main Site DSP No. S/K14S/URA1/2 to the Board for amendment under section 12(1A)(a)(ii) of the Ordinance.
- 2.6 On 8 December 2023, the draft URA KTTC Main Site DSP No. S/K14S/URA1/3, incorporating amendments mainly to (i) rezone a site to the north of Kwun Tong Road from "Comprehensive Development Area (1)" ("CDA(1)") to "Other Specified Uses" annotated "Mixed Use" ("OU(MU)"), and (ii) rezone a site to the south of Mut Wah Street from "CDA(1)" to "Residential (Group A)" ("R(A)") was exhibited for public inspection under section 5 of the Ordinance. After giving consideration to the representations on 26 April 2024, the Board decided not to propose any amendment to the draft DSP to meet the representations.
- 2.7 On 17 September 2024, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft URA KTTC Main Site DSP, which was subsequently renumbered as S/K14S/URA1/4. On 27 September 2024, the approved URA KTTC Main Site DSP No. S/K14S/URA1/4 (the Plan) was exhibited for public inspection under section 9D(2) of the Ordinance.

#### 3. OBJECT OF THE PLAN

The Plan illustrates that the Development Scheme Area (the Area) is designated as "R(A)" and "OU(MU)". The Development Scheme intends to enhance vitality and achieve improvement in environmental, traffic and pedestrian conditions in KTTC through comprehensive redevelopment, restructuring street pattern, promoting efficient land use and providing Government, institution or community (GIC) facilities, public transport facilities and public open spaces (POS)/outdoor communal spaces. The Area is planned to be developed by means of the Development Scheme prepared under section 25 of the URAO.

#### 4. <u>NOTES OF THE PLAN</u>

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <a href="http://www.tpb.gov.hk/">http://www.tpb.gov.hk/</a>.

#### 5. AREA COVERED BY THE PLAN

The Development Scheme boundary, which is shown in heavy broken line on the Plan, covers a total area of about 48,860m<sup>2</sup>. The Area is bounded by Hong Ning Road, Kwun Tong Road, Hip Wo Street and Mut Wah Street.

#### 6. EXISTING CONDITIONS

The northern portion of the Area is occupied by a comprehensive development, namely Grand Central, at New Kowloon Inland Lot (NKIL) No. 6514. It comprises four residential towers atop commercial facilities, public transport interchange (PTI), hawker bazaar and refuse collection point (RCP), as well as part of the Yue Man Square Rest Garden. The southern portion of the Area is occupied by carriageways and footpaths (i.e. Yue Man Square, Tung Yan Street and Kwun Tong Road Service Road), as well as vacant land.

#### 7. PLANNING AND LAND USE PROPOSALS

7.1 On the Plan, the Area is zoned "R(A)" and "OU(MU)". The Notes of the Plan indicate broadly the intended land uses within the Area.

#### **Land Uses and Development Intensity**

"R(A)" – Area of about 21,754m<sup>2</sup>

- 7.2 The "R(A)" zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 7.3 The "R(A)" zone is subject to a maximum domestic gross floor area (GFA) of 138,980m² and a maximum non-domestic GFA of 33,220m², or the GFA of the existing building, whichever is the greater, and except where the GFA is permitted to be exceeded under the Notes of the Plan. The "R(A)" zone is also subject to a maximum building height (BH) of 180 metres above Principal Datum (mPD) as shown on the Plan, or the height of the existing building, whichever is the greater. At-grade POS of not less than 2,400m² and above-ground POS of not less than 4,000m² shall be provided.

#### "OU(MU)" - Area of about 24,620m<sup>2</sup>

- 7.4 To strengthen KTTC's role in supporting the second Core Business District in Kowloon East, a "Vertical City" concept has been adopted in the planning of the Area. This concept aims to promote vertical integration of different land uses, including a mix of commercial, residential and other functions to coexist within the same development and provide sufficient space for urban renewal solution. This integration will facilitate easy access to a wide range of services, amenities, employment options and cultural experience, resulting in a sustainable and multi-functional urban environment.
- 7.5 The "OU(MU)" zoning is to enable appropriate planning control over the development mix, scale and design, thereby facilitating the realisation of the "Vertical City" concept. It is intended primarily for high-density developments. Flexibility for the mixed-use development/ redevelopment/conversion of commercial/residential or other uses, or a combination of various types of compatible uses including commercial, residential, educational, cultural, recreational and entertainment uses, either vertically within a building or horizontally over a spatial area, is allowed to meet changing market needs. Physical segregation has to be provided between the non-residential and residential portions within a new/converted building to prevent non-residential uses from causing nuisance to the residents.
- 7.6 The "OU(MU)" zone is subject to a maximum GFA of 251,100m<sup>2</sup> (of which not more than 110,100m<sup>2</sup> shall be for domestic purpose and not more than 153,700m<sup>2</sup> shall be for non-domestic purpose), or the GFA of the existing building, whichever is the greater, and except where the GFA is permitted to be exceeded under the Notes of the Plan. The "OU(MU)" zone is also subject to a maximum BH of 360mPD (for the high zone), 100mPD (for the mid zone) and 30mPD (for the low zone) as shown on the Plan, or the height of the existing building, whichever is the greater. At-grade POS of not less than 7,200m<sup>2</sup> and above-ground outdoor communal space of not less than 4,000m<sup>2</sup> shall also be provided.

- 7.7 Upon development/redevelopment/conversion of a building to a mixed use development within the "OU(MU)" zone, the residential and non-residential portions within a building shall be physically segregated through appropriate building design. Under exceptional circumstances, relaxation of the requirement for physical segregation may be considered by the Board on application under section 16 of the Ordinance.
- 7.8 The GFA control under the "R(A)" and "OU(MU)" zones are regarded as being stipulated in a "new or amended statutory plan" according to the Joint Practice Note (JPN) No. 4 "Development Control Parameters Plot Ratio/Gross Floor Area", and shall be subject to the streamlining arrangements stated therein.
- 7.9 To provide design flexibility, minor relaxation of the GFA and BH restrictions (BHRs) may be considered by the Board on application under section 16 of the Ordinance taking into account its individual planning and design merits.

#### **Public Open Space (POS)**

- 7.10 Not less than 9,600m² of at-grade POS shall be provided within the Area. The POS may be delivered in various forms, including Civic Square, Yue Man Square Rest Garden and entrance plaza, forming a comprehensive open space and greenery network in KTTC. All at-grade POS within the Area shall be opened for use by the public at all times.
- 7.11 Within the "R(A)" zone, not less than 2,400m<sup>2</sup> of at-grade POS shall be provided, comprising part of the Yue Man Square Rest Garden (685m<sup>2</sup>) and existing POS of 1,715m<sup>2</sup>. In addition, not less than 4,000m<sup>2</sup> of POS is provided at the podium level of the existing development, and is opened for use by the public during reasonable hours free of charge.
- 7.12 Within the "OU(MU)" zone, not less than 7,200m² of at-grade POS shall be provided, comprising an extension area of the Yue Man Square Rest Garden of about 3,375m² (the entire Yue Man Square Rest Garden will hence be about 4,060m² in size) and about 3,825m² of proposed POS. In consultation with the Leisure and Cultural Services Department

(LCSD), the whole of Yue Man Square Rest Garden will be handed to LCSD for ownership, management and maintenance upon completion.

#### **Multi-level Outdoor Communal Spaces**

- 7.13 Not less than 4,000m² of accessible outdoor spaces for public enjoyment shall be introduced across multiple levels at the "OU(MU)" zone. The multi-level outdoor communal spaces will consist of uncovered and open-sided areas, with a mix of hard and soft landscapes, and passive and active elements for public enjoyment. It will be in various forms including cascading landscaped terraces, sky gardens and amenity areas situated across different levels, to create a communal space network that will integrate the indoor uses and outdoor environment seamlessly. Such spaces are designed to foster place-making, and people gathering and socialising are encouraged.
- 7.14 The multi-level outdoor communal spaces will form part of the "Vertical City" development and are intended to be owned, managed and maintained by the URA or its future joint venture partner(s) or its assignee. Such areas must be opened for use by the public during reasonable hours and free of charge. For the avoidance of doubt, any floor spaces that do not meet the aforesaid requirements and/or are designated for commercial use shall not be qualified as outdoor communal spaces. In this connection, outdoor communal spaces shall not serve the purpose of private open space for the planned residential population.
- 7.15 Subject to agreement with relevant Government department(s) at detailed design stage and fulfilment of the requirements stated above, any uncovered or open-sided floor space that is constructed or intended for use solely as outdoor communal spaces of the non-domestic building or non-domestic part of the building may be disregarded from GFA calculation.

#### **GIC and Public Transport Facilities**

- 7.16 Not less than 24,800m² of GFA for GIC and public transport facilities shall be provided within the Area, of which not less than 16,200m² shall be provided within the "R(A)" zone and not less than 8,600m² shall be provided within the "OU(MU)" zone. The GIC and public transport facilities within the "R(A)" site include the existing PTI, hawker bazaar and RCP, which are accountable towards the non-domestic GFA of the development thereat.
- For the "OU(MU)" zone, about 8,600m<sup>2</sup> of GFA for GIC and public 7.17 transport facilities shall be provided for the reprovisioning of various uses originally affected by the KTTC redevelopment (including post office, taxi stand and government offices). Apart from the above, opportunity shall also be taken to explore the possibility to provide additional GFA for GIC facilities and public transport facilities, with the aim to double the provision to a total GFA of up to 17,200m<sup>2</sup> to meet the needs of the community. The majority of the GIC and public transport facilities will be handed over to Government departments for ownership, management and maintenance upon completion. The actual provision of the additional facilities will be timely confirmed subject to liaison and agreement with relevant Government departments during the land grant preparation stage based on the operational and design requirements of the confirmed uses as advised by relevant Government departments, and will be subject to confirmation of usage and funding from relevant Government departments. Any floor space that is constructed or intended for use solely as GIC and public transport facilities within the "OU(MU)" zone, as required by the Government, may be disregarded from GFA calculation.

#### Multi-purpose Activity Centre and Social Enterprise Use

7.18 To enhance the overall well-being of the local community and support social enterprises, not less than 1,500m<sup>2</sup> of GFA shall be provided for a multi-purpose activity centre for community use and not less than 1,300m<sup>2</sup> of GFA shall be provided for social enterprise use within the "OU(MU)" zone. The multi-purpose activity centre will serve as a hub

for community gatherings, cultural events and other community-oriented programs. The designated GFA for social enterprise use is intended to provide a platform to foster social entrepreneurship and for social enterprises to carry out their activities, contribute to the betterment of society and promote sustainable development. These facilities are intended to be owned, managed and maintained by the URA or its future joint venture partner(s) or its assignee. Both uses are accountable towards the non-domestic GFA of the development thereat. The actual GFA provision will be subject to detailed design.

#### **Observation Deck**

7.19 An observation deck shall be provided on the uppermost usable floor(s) of the tower within the high zone of the "OU(MU)" zone. Subject to detailed design, the proposed observation deck shall be designed to incorporate spaces that are functional, safe and accessible to visitors. To enhance visitor experiences, provision of indoor and/or outdoor spaces, seating areas, amenities, retail and event spaces shall be explored to provide visitors with a more immersive and enjoyable experience. The proposed observation deck will form part of the development and be non-domestic GFA accountable. The observation deck shall be opened to the public on an admission fee-paying basis during reasonable hours.

#### **Stepped Building Height Design**

7.20 In response to the local context and to enhance the vitality of KTTC, a stepped BH profile for the "OU(MU)" zone shall be adopted. To signify the significance of KTTC, bring visual interest to the skyline and accentuate the visionary statement of the "Vertical City" concept, a landmark tower with a maximum BH of 360mPD shall be provided at the southeastern corner of the Area (the high zone). Cascading building design shall be adopted from the landmark tower down towards a GIC cum commercial building in the western portion of the "OU(MU)" zone, with a maximum BH of 100mPD (the mid zone). A low zone (with BHR of 30mPD) is designated along the northern boundary of the "OU(MU)" zone to ensure compatibility with existing developments at the adjoining

- "R(A)" sites and the wider neighbourhood, though the majority of the low zone would be for at-grade POS.
- 7.21 To meet the public aspirations as expressed in the past, the western corner of the GIC cum commercial building should adopt an egg-shaped built form to achieve a cohesive design with the adjoining Civic Square and Yue Man Square Rest Garden, forming a welcoming entrance to the Area. Should the future development opt for an alternative built form, local stakeholders should be consulted with the hope of reaching a consensus over the eventual built form.

#### **Building Setbacks**

7.22 Within the Area, building setbacks along Kwun Tong Road, Hip Wo Street, Mut Wah Street and Hong Ning Road shall be provided to enhance pedestrian circulation. Building setbacks of not less than 5m shall be provided along Hip Wo Street, Mut Wah Street and Hong Ning Road at the "R(A)" site, and along Hip Wo Street at the "OU(MU)" site. The actual building setbacks will be subject to detailed design and liaison with relevant Government department(s) at implementation stage.

#### **Pedestrian Connections**

- 7.23 To enhance pedestrian circulation, barrier-free pedestrian connections shall be provided to connect the various levels. The proposed at-grade and elevated pedestrian facilities will establish a comprehensive pedestrian system for diversion of existing and future pedestrian traffic. In the "R(A)" site, there are two existing footbridges across Hip Wo Street and Mut Wah Street to provide pedestrian connections between the Area and the existing developments in the north and northeast.
- 7.24 To enhance physical and visual connectivity from the main entrances at Kwun Tong Road, Hong Ning Road and Hip Wo Street, sufficient signages and integrated design shall be incorporated at the proposed atgrade Civic Square/entrance plazas. The two existing footbridges from the MTR Kwun Tong Station shall be replaced with a pedestrian deck to provide more direct and effective pedestrian routes in the Area. The

pedestrian deck shall integrate the station concourse with the proposed development, including the retail podium, GIC facilities, at-grade POS and multi-level outdoor communal spaces, as well as providing linkages with the existing developments in the northern portion of the Area. Besides, elevated connections to link up the two existing footbridges on Kwun Tong Road including the APM Millennium City footbridge and the Tsun Yip Lane footbridge are also proposed to enhance connectivity and accessibility with the proposed development. Public passageways and covered walkways will be provided within the proposed POS and multi-level outdoor communal spaces to provide at-grade and/or elevated pedestrian connections to the surrounding developments. The proposed pedestrian connections are subject to detailed design and liaison with relevant Government department(s) at implementation stage.

7.25 In addition, an underground subway connection at the "OU(MU)" site is proposed to connect with the planned underground subway across Hong Ning Road. Section of this underground subway outside the Area is to be constructed by the Civil Engineering and Development Department, and to be owned, managed and maintained by relevant Government departments upon completion. The design and openings of the subway connection point(s) are subject to liaison and agreement with relevant Government department(s) at implementation stage.

#### **Internal Transport Facilities**

7.26 Ancillary car parking spaces and loading/unloading bays shall be provided at the basement level(s) to serve the Area. The actual provision of car parking spaces and loading/unloading bays shall be determined based on the relevant requirements under the Hong Kong Planning Standards and Guidelines and subject to agreement with relevant Government department(s) at detailed design stage.

#### Landscaping and Greening

7.27 Cohesive landscaping, tree planting and greening shall be provided at the proposed POS, outdoor communal spaces and communal areas to enhance the local streetscape and walking environment. The total

greenery area shall meet the requirements as stipulated under the Sustainable Building Design Guidelines (SBDG).

7.28 In determining the relevant maximum GFA of the development and/or redevelopment at the "OU(MU)" site, any floor area proposed for green and innovative features at-grade or at multi-levels, such as communal sky gardens or podium gardens, may be exempted from calculation if such feature meets the criteria set out in the JPN No. 1 "Green and Innovative Buildings" and JPN No. 2 "Second Package of Incentives to Promote Green and Innovative Buildings". The actual GFA calculation will be subject to the agreement with relevant Government department(s) at detailed design stage.

#### Visual Permeability and Air Ventilation

7.29 According to the air ventilation assessment (AVA) report in support of the proposed zoning amendment for the "Vertical City" development (AVA 2023), good design features (i.e. setback of not less than 20m wide along existing Hong Ning Road at the "OU(MU)" site; tower separations between the "R(A)" site and the "OU(MU)" site of not less than 24m; setback from Kwun Tong Road; and two intervening spaces/urban windows design along the Kwun Tong Road façade) were proposed to enhance visual permeability and air ventilation especially at the pedestrian and lower levels. Such measures should be incorporated in the design and layout of future developments in the "OU(MU)" zone. In the event that the proposed wind enhancement features are not adopted in the future design scheme, further AVA study should be conducted by the project proponent(s) in accordance with the joint Housing, Planning and Lands Bureau - Environment, Transport and Works Bureau Technical Circular No. 1/06 on AVA (or its latest version) to demonstrate that the wind performance of the eventual development would not be worse than the proposed scheme adopted in the AVA 2023. Furthermore, the proposed development shall endeavour to meet the requirements under the SBDG.

#### 8. <u>IMPLEMENTATION OF THE DEVELOPMENT SCHEME</u>

- 8.1 The proposals set out in the Plan form an integral part of the Development Scheme for the Area.
- 8.2 The northern "R(A)" zoned portion of the Area is covered by NKIL No. 6514, and the relevant land grant has been executed and currently held by the URA. For the southern "OU(MU)" zoned portion of the area, the URA will apply for a private treaty grant for implementation of the proposed development thereat.
- 8.3 The URA may implement the Development Scheme on its own or in association with one or more partners.

TOWN PLANNING BOARD SEPTEMBER 2024